



Attorney Docket No. JAS-131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 Scott W. Lewis)
 Serial No.)
 Filed)
 For: System And Apparatus For)
 Interactive Multimedia Entertainment)
)
)

DECLARATION CLAIMING SMALL ENTITY
 STATUS UNDER 37 CFR 1.9 (f) and 1.27 (c)
 SMALL BUSINESS CONCERN

I hereby declare that I am:

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: MULTIMEDIA SYSTEMS CORPORATION
 ADDRESS OF CONCERN: 2055 Gateway Place
San Jose, CA 95110

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal years, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled SYSTEM AND APPARATUS FOR INTERACTIVE MULTIMEDIA ENTERTAINMENT, by inventor Scott W. Lewis described in the application filed herewith.

The rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING SCOTT W. LEWIS
TITLE OF PERSON OTHER THAN OWNER PRESIDENT AND CHIEF EXECUTIVE OFFICER
ADDRESS OF PERSON SIGNING MULTIMEDIA SYSTEMS CORPORATION
2055 GATEWAY PLACE, SUITE 260, SAN JOSE, CA 95110

SIGNATURE 

DATE 11/13/92

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that I verily believe I am the original, first and sole inventor of the invention entitled: SYSTEM AND APPARATUS FOR INTERACTIVE MULTIMEDIA ENTERTAINMENT described and claimed in the specification which is attached hereto; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, and that no application for patent or inventor's certificate on said invention has been filed in any country foreign to the United States of America by me or my legal representatives or assigns.

I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

1 TOTAL

Joseph A. Sawyer Jr.
Reg. No. 30,801

Address all telephone calls to Mr. Sawyer at telephone number (415) 647-0952 and all correspondence to:

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Benman & Collins
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3550 Market Street, Suite 103
San Francisco, California 94131

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

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John B. Smith
Signature of Inventor

11/13/92

Date